

**Motor Vehicle Division  
PO Box 13044  
Austin, TX 78711-3044  
TOLL-FREE 877/366-8887**

**REPRESENTATIVE LICENSE INFORMATION**

**PLEASE READ ALL OF THIS INFORMATION CAREFULLY BEFORE COMPLETING AND MAILING  
YOUR APPLICATION. INCOMPLETE OR INACCURATE INFORMATION MAY DELAY  
ISSUANCE OF YOUR LICENSE.**

**BEGINNING SEPTEMBER 1, 2008 ALL NEW LICENSES WILL BE ISSUED FOR A TERM OF TWO YEARS.**

A **representative** is a person who: (A) is or acts as an agent or employee for a manufacturer, distributor, or converter; and (B) performs any duty in this state relating to promoting the distribution or sale of new motor vehicles or contacts dealers in this state on behalf of a manufacturer, distributor, or converter. The fee for a representative license is \$200.00.

A person may act as a representative for more than one manufacturer, distributor, or converter, but a separate license must be obtained for each company represented.

Persons covered under the definition of representative include **regional, zone, or district executive personnel** whose area of responsibility includes Texas, and whose duties include contacting new motor vehicle dealers or dealership personnel. The definition also includes every other person employed by a new motor vehicle manufacturer, distributor, or converter, directly or indirectly, **to call upon or contact franchised dealers or dealership employees concerning new motor vehicle sales, advertising, service, parts, business management, used motor vehicle sales, and for any other purpose.** However, the definition of representative does not include office or clerical personnel, production personnel, etc., whose duties do not include contacting franchised dealers or dealership employees.

A "person" who meets the definition of representative can also be other than a natural person such as a corporation, limited partnership, limited liability company, etc. Employees of an entity licensed as a representative that perform representative functions in the scope of their employment for the licensed representative are required to obtain a representative's license in their individual capacity, unless they are the president or CEO of the entity.

For example, if John Doe is the president of Representative, Inc., a company that contacts Texas franchised dealers on behalf of Converter, Inc., Representative, Inc. must obtain a representative license, but John Doe would not, even though his main job function is to contact Texas franchised dealers. If Representative, Inc. employs Mary Jones, and she contacts Texas franchised dealers, then Ms. Jones would also need a representative license. If Fred Smith is employed as a receptionist for Representative, Inc., and does not have contact with Texas franchised dealers, other than occasionally taking a phone message, then Mr. Smith is not required to obtain a representative license.

**A REPRESENTATIVE IS NOT ALLOWED TO SELL NEW OR USED MOTOR VEHICLES TO TEXAS CONSUMERS, INCLUDING MUNICIPALITIES.**

A representative application is normally submitted by the manufacturer, distributor, or converter along with their license application. The representative license, along with a wallet card, will be mailed to the manufacturer, distributor, or converter for which the representative will act. The representative's license will expire on the same date as the manufacturer, distributor, or converter.

If a representative application is submitted during the term of the manufacturer, distributor, or converter's license, then the representative license fee will be prorated and the representative license set to expire on the same date as the manufacturer, distributor, or converter.

**IMPORTANT NOTICE TO APPLICANTS**

**THE FOLLOWING PAGES TAKE YOU STEP-BY-STEP THROUGH THE APPLICATION. PLEASE READ CAREFULLY BEFORE COMPLETING THE APPLICATION AND ATTACHMENTS.**

**UNLESS OTHERWISE SPECIFIED, YOU MAY SUBMIT COPIES INSTEAD OF ORIGINALS.**

**MAKE SURE THAT EACH DOCUMENT, PHOTOGRAPH, ETC. HAS THE BUSINESS NAME AND DBA ON IT.**

**THE APPLICATION SHOULD BE AS COMPLETE AS POSSIBLE BEFORE YOU SUBMIT IT.  
ERRORS OR MISSING DOCUMENTS MAY DELAY PROCESSING.**

- 1. NAME OF BUSINESS TO BE REPRESENTED:** Enter the name of the manufacturer, distributor, or converter that applicant will be representing. Check the appropriate box above this item indicating whether applicant intend to represent a manufacturer, distributor, or converter.
- 2. APPLICANT'S NAME:** Enter ONE of the following:
  - a) Your name, if applying as an individual or sole proprietor.
  - b) The partnership name or names of all partners, if applying as a partnership.
  - c) The name of the corporation, LLC, LP, etc. if applying as any other type of entity.
- 3. ASSUMED NAME/DBA (If different from above):** Enter any assumed name(s) (also called DBA, for "Doing Business As") that you will be using and attach copies of any assumed name certificates for those names.
  - a) The assumed name(s) must be registered with the proper authority.
  - b) In Texas, the proper authority for corporations, LLCs, LPs and LLPs is the Secretary of State. ALL entities must register with their County Clerk.
  - c) The assumed name you put on this application must exactly match the assumed name as it is registered.
- 4. JOB TITLE (if applicant is an individual):** Enter the job title of the applicant. This is not required if the applicant is a corporation, LLC, LP, or other type of business entity.
- 5. PHYSICAL ADDRESS:** Enter the street number and name, the city, and the zip code of the physical address where applicant conducts business as a representative.
- 6. MAILING ADDRESS:** Enter your mailing address if it is different from your physical address. This is the address we will use to mail correspondence, licenses, etc. If this application is for a new facility where mail cannot currently be received, please provide a temporary mailing address we can send correspondence concerning this application.
- 7. TELEPHONE/FAX NUMBER:** Enter the applicant's telephone number and fax number.  
**E-MAIL ADDRESS:** Enter an e-mail address if you would like to use this as a form of delivery. E-mail addresses are considered confidential. (Unless authorization to release is provided to the Motor Vehicle Division).  
**CONTACT NAME AND PHONE NUMBER:** Enter the name and phone number of a person we can communicate with concerning this application.
- 8. ATTACH ALL REQUIRED DOCUMENTATION (DETAILED REQUIREMENTS ARE IN THIS PACKAGE).** Detailed requirements are contained in this packet and on the application form. All items should be completed or marked "NA" (not applicable). If marked "NA", describe why this requirement is not applicable.
- 9. COMPLETE THE REST OF THIS APPLICATION.** The applicant must answer all questions on the back of this form, obtain authorization from the manufacturer, distributor, or converter, and sign the application in the presence of a notary.

**10-11. FEES:**

- a) Attach a check, money order, or credit card form for the representative license fee (\$200).
- b) Checks and money orders should be made payable to the Texas Department of Transportation. A fee of \$1.00 will be added to each credit card transaction.
- c) If paying by check or money order, do not bring your application to MVD. Applications with checks or money orders must first go to PO Box 13044 for processing of the fees.
- d) If you wish to overnight your application, be aware that only the US Postal Service delivers overnight mail to post office boxes.
- e) Make sure you mail your application to the correct address for the type of payment you are making. Failure to do so will result in processing delays.

**12-15. YES/NO QUESTIONS:** All questions must be answered. Provide detailed explanations of any "Yes" answers in full on separate sheets.

**16. ATTACHMENTS TO THE APPLICATION:**

**A. OWNERSHIP AND MANAGEMENT INFORMATION / POWER OF ATTORNEY DESIGNATING AGENT FOR SERVICE – Use form LF603.**

- 1) Answer the question pertaining to felony convictions (and charges) truthfully.
  - (a) Prior convictions may not prevent you from obtaining a license. Answering this question falsely may result in denial of your license and civil penalties.
  - (b) MVD may investigate applicants answering "Yes" to this question. This investigation may add three to four weeks to your processing time.
  - (c) You must attach copies of all final court judgments for any convictions.
- 2) Complete the front and back of the form for the following:
  - (a) **OWNERS:** If the applicant is a business entity, list all parties with any ownership interest in the applicant (this includes sole proprietors).
    - (1) If any ownership interest is held by a business entity (corporation, LLC, LP, etc.), submit the information listed on the form for each business entity until only individuals are listed as owners. In this instance, you should complete a separate form for each business entity.
    - (2) If any business entity with ownership interest is publicly held, indicate that on the form. Owners of publicly held businesses (shareholders) need not be listed, but the officers, directors, etc. must be.
  - (b) **PARTNERSHIPS:** list all partners and designate the managing partner.
  - (c) **CORPORATIONS:** list all corporate officers and directors.
  - (d) **LIMITED LIABILITY COMPANIES:** list all LLC managers and members.
  - (e) **LIMITED PARTNERSHIPS:** list the general partner(s) & the limited partner(s).
- 3) **SPECIFIC INFORMATION:**
  - (a) Name of Person or Business: Enter the first name, middle initial, and last name for individuals; list the business name or assumed name of any business entities.
  - (b) Title: Enter the title. Examples are: President; CEO; Owner; Partner; General Partner; Member; etc. This information is not necessary for applicants who are individuals or employees.
  - (c) % of Ownership: For all individuals and businesses listed, enter the percentage of ownership. If the percentage is zero, enter zero. **OWNERSHIP PERCENTAGES MUST TOTAL 100%.** This information is not necessary for applicants who are individuals or employees.
  - (d) Date of Birth: for individuals and employees only.
  - (e) Driver's License # and State: enter the driver's license number and issuing state. If the individual does not have a driver's license, enter "NONE". If the driver's license was issued in a foreign country, provide that information.
  - (f) SSN / TIN / EIN: enter the Social Security Number, Taxpayer Identification Number, or Employer Identification Number, as applicable. If any individual does not have an SSN, attach a separate sheet with other identifying data for the individual.
  - (g) If this is a business, is it PUBLICLY TRADED? If the answer is yes, owners do not need to be listed, but officers, directors, partners, managers, or members (depending on the type of business entity) must be.

**B. ASSUMED NAME CERTIFICATES:** Provide documentation that you have registered your assumed name with the proper authority.

- 1) Corporations/Limited Liability Companies/Limited Partnerships/Registered Limited Liability Partnerships: proper authority for registration of assumed names is the Secretary of State (or, outside of Texas, the proper authority in the appropriate state). **YOU MUST ALSO REGISTER THE NAME WITH THE COUNTY CLERK** but MVD does not require the certificate from the county.
- 2) For other applicants, proper authority is the County Clerk.

**C. CERTIFICATE OF INCORPORATION, ORGANIZATION, OR PARTNERSHIP:** Attach these if applicable. We do not need copies of your corporate charter. Corporations are not required to submit a certificate of authority to operate in Texas.

**D. AUTHORIZED APPOINTMENT** - Attach an appointment letter from the manufacturer, distributor or converter or have an authorized agent of the manufacturer, distributor or converter sign the authorization printed on the application form.

**CERTIFICATION:** The application must be signed by the applicant or an authorized agent and notarized. By signing this application, the applicant swears under penalty of perjury that:

- 1) All statements on the application and all attachments to it are true and complete.
- 2) Applicant is not delinquent in any court-ordered child support.

**WHEN YOU HAVE COMPLETED THE APPLICATION FORM AND HAVE GATHERED ALL ATTACHMENTS, SUBMIT BY MAIL TO:**

**IF PAYING BY CHECK/MONEY ORDER:**

**MOTOR VEHICLE DIVISION  
PO BOX 13044  
AUSTIN TX 78711-3044**

**IF PAYING BY CREDIT CARD:**

**(\$1.00 fee charged )**

**MOTOR VEHICLE DIVISION  
PO BOX 2293  
AUSTIN, TX 78768-2293**

**APPLICATIONS MAY BE HAND DELIVERED, BUT THAT WILL NOT SPEED UP THE PROCESS AND MAY RESULT IN DELAYS IF PAYING BY CHECK OR MONEY ORDER.**

## **GENERAL INFORMATION**

### **APPLICATION PROCESSING:**

- a) Licenses are issued for two year terms.
- b) Applications are processed in the order received.
- c) If there are no deficiencies, the license is approved and your license is printed and mailed.
- d) If there are deficiencies, the entire application may be returned with a list of items to be corrected. Please correct any deficiencies and return the application with all attachments.
- e) To be safe, allow at least one month for processing of your application. Incomplete or inaccurate applications can greatly increase this estimate.
- f) Make a copy of the application and all attachments that are submitted for your records.

### **CHANGES TO YOUR LICENSE:**

You must submit an Application to Amend Representative License for:

- 1) Changes in ownership. Under some circumstances, you may need to file a new application. For example, if you are currently licensed as a Sole Proprietor and become incorporated, you will need to file a new application. If you are a corporation and do a conversion to a Limited Partnership, you will only need to amend your license. Please contact our office in order to complete the appropriate forms.
- 2) Changing the business name or DBA (assumed name).
- 3) Conversion from one business entity to another.
- 4) Changes in physical address.

### **DUPLICATE LICENSES:**

To request a reprint or a duplicate license please complete form LF901. You may fax this request to 512/416-4893 or mail to Motor Vehicle Division, P.O. Box 2293, Austin, TX 78768-2293. **The fee for this request is \$50.00.**

### **LICENSE RENEWAL:**

- a) Your license is valid for two years.
- b) Renewal fees for representatives are \$200. MVD will mail you a renewal notice to the manufacturer, distributor, or converter that applicant represents 75 to 90 days prior to license expiration. The renewal notice, required attachments, and the proper fee(s) should be returned to the Motor Vehicle Division at least 45 days prior to expiration to ensure that your license does not expire.
- c) You are responsible for maintaining your license. If you do not receive your renewal notice, contact MVD to obtain one.
- d) THERE IS NO GRACE PERIOD! Once your license expires, you should not conduct business as a representative.
- e) Penalty fees are assessed if your renewal form is received at MVD more than 30 days after expiration. These penalty fees are 50% of the total license fee for each 30 days of default.

**YOU MUST COMPLETE THE RENEWAL WITHIN 90 DAYS OF YOUR EXPIRATION  
OR YOU WILL HAVE TO RE-APPLY.**